

Remarks/Arguments

This application has been carefully considered in connection with the Examiner's Action. Reconsideration and allowance are respectfully requested in view of the foregoing.

I. Status of the Case

Having previously canceled Claims 1-70, 72 and 75-81, Claims 71, 73-74 and 82-100 were presented to the Examiner for consideration. Responsive to the Examiner's Action dated October 20, 2006, the Applicants have amended Claims 82, 91, 94 and 97 and canceled Claims 88- 90 and 95-96 without prejudice or disclaimer. Further by this Amendment, the Applicants have added new Claims 101-105. Accordingly, Claims 71, 73-74, 82-87, 91-94 and 97-105 are pending before the Examiner.

II. The Obviousness-type Double Patenting Rejection of Claims 71, 73-74 and 82-100

Claims 71, 73-74, 82-100 stand rejected on the grounds of obviousness-type double patenting as being as being unpatentable over Claims 1-23 of U.S. Patent No. 7,015,806. In support of such rejection, the Examiner states that "claim 1 of the present invention is an obvious variation of claim 19 of U.S. Patent No. 7,015,806 to Naidoo et al. In response, the Applicants respectfully request the reconsideration and withdrawal of the obviousness-type double patenting rejection of Claims 71, 73,-74 and 82-100.

As previously set forth, the Examiner supported the foregoing rejection by comparing Claim 1 of the present application to Claim 19 of Naidoo et al. However, the Applicants respectfully note that Claim 1, the only claim of the present application cited in support of the obviousness-type double patenting rejection was canceled by the Preliminary Amendment filed by the Applicants on June 23, 2003. Moreover, the apparatus claims pending in the application bear little resemblance to the claims of Naidoo et al. More specifically, the claims of Naidoo et al. require the use of rules-

based routing based upon a set of rules (Independent Claims 1, 11 and 21), specifically, a geography (Independent Claims 8 and 17), network efficiency (Independent Claims 9, 18, 19, 20) or proficiency (Independent Claims 10 and 19) requirement. However, the claims pending in the present application have no limitations even remotely related to the foregoing. Accordingly, the Applicants respectfully request the reconsideration and withdrawal of the rejection of Claims 71, 73-74, 82-100 on the grounds of obviousness-type double patenting.

III. The Rejection of Claim 90 under the Second Paragraph of Section 112

Claim 90 stands rejected under 35 U.S.C. § 112, second paragraph, as having insufficient antecedent basis for the limitation of a “third subsystem” recited in the claim. In response, the Applicants respectfully submit that the cancellation of Claim 90 renders the rejection of the claim moot. Moreover, when the subject matter of Claim 90 was incorporated into Claim 82, considerable care was taken to ensure that all newly presented elements of the claim enjoyed proper antecedent basis. In view of the foregoing, the Applicants respectfully request the reconsideration and withdrawal of the rejection of Claim 90 under the second paragraph of Section 112..

IV. The Rejection of Claims 71, 82-83 and 88-91 as Anticipated by Monroe

Claims 71, 82-83 and 88-91 stand rejected under 35 § 102(e) as being anticipated by U.S. Patent No. 7,023,913 to Monroe. In response, the Applicants respectfully traverse the Examiner’s rejection and instead submit that independent Claim 82, as well as dependent Claims 71, 83 and 91, are neither taught nor suggested by Monroe. Accordingly, the Applicant respectfully requests the reconsideration and withdrawal of the rejection of Claims 71, 82-83 and 88-91 and the allowance of Claims 71, 82-83 and 88-91.

As amended herein, the Applicants have incorporated the subject matter of Claims 88-90 into independent Claim 82. Further by this Amendment, the Applicants have added an additional

limitation, specifically, that the second subsystem is allowed to access pre-alarm and/or non-alarm data stored at the interface **only if** the interface has received an alarm notification from the first subsystem. Further, if access to the aforementioned data is allowed, it is allowed **for only** a limited period of time. It is submitted that Applicants' interface, as described and claimed herein, is neither taught nor suggested by Monroe, whether taken alone or with one or more of the cited references. Accordingly, the Applicants respectfully request the reconsideration and withdrawal of the rejection of Claims 71, 82-83 and 88-91 as anticipated by Monroe and the allowance of these claims.

More specifically, the Applicants respectfully submit that nowhere does Monroe teach or suggest those features of Applicants' invention that limits the ability of the second subsystem to access of the data stored at the interface to a predetermined period of time. Moreover, nowhere does Monroe teach or suggest that the data stored at the interface would only be available under certain conditions, specifically, the receipt of an alarm notification at the interface. Instead, those passages of Monroe cited by the Examiner clearly indicate that no such limitations have been placed on the access of such data by the remote systems. Rather, Monroe teaches that the data would be available for review at any time and under any conditions.

As presented herein, Applicants' invention addresses an issue of particular concern: privacy. While one can readily appreciate the many advantages derived from remote monitoring, it should be equally appreciated that such advantages should not come at the cost of a loss of privacy. Specifically, if the remote monitoring station is enabled unlimited access to video data generated at the home, the privacy of the homeowner is severely compromised. To avoid such a result, Applicants' claimed interface is uniquely structured to protect the privacy of the homeowner by limiting access to video data stored at the interface to those times when an alarm notification has been received and, even then, only for a predefined period of time.

V. The Rejection of Claims 73-74, 84-87 and 92-93 over Monroe in view of Foodman

Claims 73-74, 84-87, 92-93 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe in view of U.S. Patent No. 6,975,220 to Foodman et al. In response, the Applicants respectfully traverse the Examiner's rejection and instead submit that Claims 73-74, 84-87 and 92-93 are not suggested by the proposed combination Monroe and Foodman et al. Accordingly, the Applicants respectfully request the reconsideration and withdrawal of the rejection of Claims 73-74, 84-87 and 92-93 as unpatentable over Monroe in view of Foodman et al. and the allowance of these claims. In this regard, the Examiner's attention is respectfully directed to Applicants' remarks set forth above in Section III. More specifically, the foregoing section established exactly how Claims 71, 82-83 and 88-91 are distinguishable over Monroe. As each of the claims rejected over the combination of Monroe and Foodman et al. include the limitations absent from Monroe and as Foodman et al. neither teaches nor suggests those limitations, the Applicants respectfully submit that the proposed combination of Monroe and Foodman et al. neither teaches nor suggests Claims 73-74, 84-87 and 92-93.

VI. The Rejection of Claims 94-100 Over Kogane et al. in view of Monroe

Claims 94-100 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,323,897 to Kogane et al. in view of Monroe. In response, the Applicants respectfully traverse the Examiner's rejection and instead submit that Claims 94-100 are not suggested by the proposed combination of Kogane et al. and Monroe. Accordingly, the Applicants respectfully request the reconsideration and withdrawal of the rejection of Claims 94-100 as unpatentable over Kogane et al. in view of Monroe and the allowance of these claims. In this regard, the Examiner's attention is again directed to Applicants' remarks set forth above in Section III. More specifically, the foregoing section established exactly how Claims 71, 82-83 and 88-91 are distinguishable over

Monroe. As each of the claims rejected over the combination of Kogane et al. and Monroe include the limitations absent from Monroe and as Kogane et al. neither teaches nor suggests those limitations, the Applicants respectfully submit that the proposed combination of Kogane et al. and Monroe neither teaches nor suggests Claims 94-100.

VII. Regarding New Claims 101-103

Newly added independent Claims 101 and 104 both have a scope similar to Claim 84, as above amended. However, they differ from Claim 84 in a number of respects. First, both Claims 101 and 104 omit a limitation, specifically, “means for storing non-potential alarm specific information related to said premises monitored by said first subsystem, said non-potential alarm specific information useful in determining how to respond to potential alarm condition data,” believed to unnecessarily reduce the scope of the claimed invention. Claim 101 further omits the limitation that access to the stored pre-alarm and/or non-alarm video and/or audio data is made contingent on the receipt of an alarm notification from the first subsystem. Rather, Claim 101 merely requires that access to such data is limited to a pre-determined period of time. Although dependent Claim 102 reintroduces the aforementioned limitation. The opposite is true for newly added Claim 104. More specifically, Claim 104 further omits the limitation that access to the stored pre-alarm and/or non-alarm video and/or audio data is made available for only a limited period of time. Rather Claim 101 merely requires that receipt, at the interface, of an alarm notification is sufficient to allow access to the stored pre-alarm and/or non-alarm video and/or audio data.

VIII. Conclusion

For the foregoing reasons, the Applicants respectfully submit that Claims 73-74, 82-87, 91-94 and 97-105 are neither taught nor suggested by the cited art. Accordingly, the Applicants respectfully request the reconsideration and withdrawal of the various rejections of Claims 73-74, 82-87, 91-94 and 97-100 and the allowance of 73-74, 82-87, 91-94 and 97-105.

This application is now in condition for allowance. A prompt Notice to that effect is, therefore, earnestly solicited.

If any other fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Dallas, Texas.

Respectfully submitted,

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Michael S. Bush
Reg. No. 31,745
ATTORNEY FOR APPLICANTS

Conley Rose, P.C.
5700 Granite Parkway, Suite 330
Plano, Texas 75024
(972) 731-2288 (Telephone)
(972) 731-2289 (Facsimile)